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Evolution Dilemma of the United Nations

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Abstract

The United Nations (UN), despite some successful stories, has largely failed to safeguard international peace and security, particularly in the Middle East since its establishment. The UN's inability to effectively resolve international conflicts is due to the Security Council (UNSC)'s decision making-process. The power to block any initiatives that do not fit the interest of any of the five permanent members (P5: US, UK, France, Russia, China) have impeded the UN's ability to take effectively take actions where it is needed in safeguarding security in the Middle East. The nature of the veto power no longer reflects the reality of the 21st century; the UN is frozen in the context of the post-Second World War era and has failed to evolve with the international community. Double standards in the International Court of Justice's decrees and infirmity of purpose of the UNSC overshadow the legitimacy of the organization, jeopardizing its security mission, and clashes with the democratic values in world public opinion. The UN should change to earn legitimacy and efficiency of preserving international peace and security by amending decision making system in the UNSC or changing decision-making organ within the UN. The Secretary General's diplomatic activism and attempts to fill the gap left by the P5 infightings could not succeed because of the resistance of the UNSC's permanent members to change and lack of integrity among the other states. To ensure democratic transformation of the UN today, all states, NGOs and think tanks should work together. This study discusses the system's current shortcomings and suggests some alternative paths for the effective transformation of the UN as a supranational security institution.

Key Words: *UN Reforms; International Security; Transformation; International Organizations; UNSC.*

JEL classification: B15

Introduction

Conception and Transformation Problem

Humankind is in a continuously changing world; social sciences, politics, international relations, systems and anything else is changing. In International relations changing international systems brings along the displacement or evolution of the international actors. While some states escalate into upper rankings within the international system's array as rising powers, others move down to the lower rankings as falling powers. Systems sometimes change peacefully, namely, in an evolutionary way such as British politics evolution; usually they change in a revolutionary manner such as World War II, namely, by means of wars (Falk, 2005, 80). Moreover, while peaceful change may be experienced in a region of the world, like the USSR dismantling in 1991, simultaneously, wars can be seen to drive change in other regions as happened in the former Yugoslavia. While regional transformations and changes like the regime change in Bulgaria and the merger of West and East Germany give cause for the belief in peaceful change in the international system, sometimes they also result from violent events like the division of Czechoslovakia into two and the independence of Montenegro and Kosovo. Thanks to the displacement of the actors in the international system and multi-dimensional opportunities provided by the new international conjunction of states new rising regional powers can also emerge, like Germany becoming the *de facto* leader of the EU by exhibiting an evolutionary success, and Turkey becoming the regional leader or soft power of the Middle East and the Balkans. New international systems also provide new international organizations like the Shanghai Cooperation Organization (SCO) with the opportunity to be born, or existing organizations to be displaced as rising or falling powers. Although existing before, the EU, has transformed with the Maastricht, Amsterdam, Nice Agreements and Lisbon Summits, or the OIC, performing as *de facto* international actor through its accelerated momentum after 2000, can be shown as examples of rising international organizations. On the other hand, NATO, substantially losing its mission and importance in comparison with the Cold War period, can be shown as an example of a falling international organization. Non-state international actors like Greenpeace are proliferating and becoming more effective.

It is hard to say that the transformation of the system has come to an end in terms of sequencing the actors despite its having passed on to a new international system after 1991. Germany, seen as a rising power after the Cold War¹, rose to the position of a global driver because of its economic and political successes, its ability to maintain peace between different religions, its socio-cultural association, as well as its successful diplomacy achieved through the EU. While it was mandatory to declare war against Germany in order to become a member of the UN when it was first established, today Germany has become a *de facto* permanent member of the UNSC with 5+1 meetings as one of the main subvention provider of the organization. Similarly, Japan, despite being the defeated party in the UN's system, became a global actor with its robust economy and successful diplomacy, and has achieved UNSC membership² four times after the Cold War. Japan has started to be seen among the UNSC's future possible permanent members. In the new unipolar world, especially after 2000, Turkey is also becoming a rising power and even a regional power within the international arena. Turkey, having become an active and proactive actor in contemporary events, turned to be one of the actors who evaluated the conjuncture well, moving far from its previous one-dimensional foreign policy of the Cold War.

Unlike those countries, being the second pole during the Cold War, Russia turned to a "falling power" position in comparison to the previous system despite still being a global actor in the new system. The West announced its old ideological space; Russia's sphere of influence regressed to the South Ossetia border. Although Putin's economic and political success since 2000 put a stop to this fall, in the new system, it lost its old international position to an incomparable degree with the USSR of the Cold War. In the new international system, France's power has significantly diminished since the 1950s, and although it is a permanent member of the UNSC, France finds itself in a secondary position in the EU. Despite still

¹ Germany was elected two times for the UNSC sessional membership after the Cold War in 1995; 2007.

² Japan served as an UNSC member in 1992-3, 1997-8, 2005-6, 2009-10 sessions.

being global driver due to its veto trump in the UNSC, France, seen as a falling power in comparison with Germany or its own history. Today, France is not in a position to fulfil a power concept corresponding to permanent membership.

The UN continues to survive as the most important IGO on the international stage despite a greatly differentiated international system as a result of changes in technology and challenges posed by health, transportation, refugees, disarmament, terrorism, new nuclear powers and so on. The UN faces significant challenges in terms of accommodating this new (unipolar) system. (Hoveyda, 2005, 175) In fact, radical changes in the international system form the main reason; the UN urgently needs to change (Hoveyda, 2005, 179). After the establishment of the UN in 1945 by the World War II victors, a new balance of power emerged amongst the permanent members of the UNSC between two communist states (USSR, China) and three capitalist states (US, UK, France). This shift in power along with the rejection of the USSR's application to NATO in 1954 and the Warsaw Pact in 1954 have been the main reasons for the UN continuing its existence during the Cold War. In the post-Cold War period, P5 still occupies the first line of power in the UN despite having big differences between them, which is one of the main reasons for the UN system's continuity (Jain, 2005, 239) today. Furthermore, the failure of the League of Nations (LN) also creates an important added value for the continuity of the UN. Signs of failure in the LN were evident since the beginning. Despite being the winners of WWI, UK and France, who wanted to preserve the status quo, chose the appeasement method instead of preventing the expansion of two revisionist members-Italy and Japan, who were not happy with the result. However, perhaps more importantly, other major powers (for example the US) were not included to the system. The USSR, who had waited for membership to the LN for many years, became a member in 1934 but was taken out the organization in 1939. The appeasement method in 1931-38 completely turned the international system upside down. LN's Vilnius, Corfu and Aland solutions remained as small successes next to their mistakes. (Imber, 2006, 329)

Between 1944-45, when the UN's Charter had been discussed in Dumbarton Oaks, the US, UK and USSR, with the lesson taken from the LN's unanimously wanted a locked system, conceded a decision-making system as 2/3+1 in the UN's General Assembly. These same actors ensured their places in the Security Council with veto rights (UN Charter). Because of the context under which the UN was established, the winners of the war were given power in decision-making, which is contradictory to the spirit of democracy. This system was accepted and maintained by the five permanent members between 1945-2010 after which there was an increase of UNSC members from 11 to 15 in 1965.

Since its foundation, the UN has not shown success in "preventing conflicts and finding solutions" which were the main grounds of its foundation in theoretical terms. (Nye, 2003, 169) As outlined in the Brahimi Report (2000) presented to the UN, it failed to resolve the conflicts after the Cold War and proved inefficient in preserving and establishing peace, particularly due to its inability to carry out action. The decision of "using force (or penalizing) by defining the transgressor" could only be seen in the UN's support to act during Iraq's invasion of Kuwait, after 40 years. There were three important reasons for this: the presence of a conspicuous invasion; the UN's fear of losing its legitimacy for remaining silent in the face of such an apparent invasion; and the intense support of third world countries with post-colonial and relatively vulnerable borders for interventions (Nye, 2003, 169). In addition, the decisions taken after 1994 could not be actually applied. The genocide in Srebrenica, which had been proclaimed as a "safe haven" by the UN in 1995, could not be precluded. Furthermore, while the US, UK, Spain and Italy were defending Resolution 1441 taken by the UN regarding Iraq's disarming, Russia, Germany and France were propounding the opposite on the grounds that "it was embracing the use of force". (Imber, 331-334)

An article specified in UN Charter 27.3, advocating "UNSC members not being able to vote in the conflict and problems involving themselves," has never yet been reinforced. If it was implemented, the US, having been directly or indirectly active in almost all international conflicts until today, the USSR or its successor Russian Federation being in a similar situation, or the UK and France, still maintaining post-colonial relations, would not have been able to vote on almost all problems. Again, a coordination could not been procured between the two blocks in the execution of economic and social sanctions between 1950-90; a decision could only be made about the 1950 Korea and 1990 Kuwaiti subjects.

The communist-capitalist balance formed between the permanent members in the Cold War period did not comply with the newly formed post-Cold War system. The US, leader of the unipolar system, being drawn to the petrol in Iraq invaded the country despite the UN, causing the permanent members themselves to question the UN system (Luck, 2005, 409). Nevertheless, the system was providing the permanent members with robust advantages so it is not surprising that the other four members' objections have not been as forceful as to cause the UN system to collapse like the LN. Nevertheless, discussions started regarding UNSC reforms in the World Summit of September 2005. Outstanding discussions in "The New Millennium Development Goals" meeting on September 2005 that had been prepared by Kofi Annan himself were focused on radical changes like the existence of regional imbalance in the UN due to the advantage of the North over the South, the change of permanent members with regional leaders, the removal of the veto right and/or the recognition of the veto right to the other 10 temporary members. (Prins, 2005, 382-389)

The UN continues to hold a place in the center of the international system despite the change of the international system in the post-Cold War era, the UN's legitimacy being widely interrogated and the need of a radical revision in its structure. Because of the UN's reluctance of revising, it can be argued that the UN has lost its legitimacy. The UN appears to have lost its legitimacy in the following four areas:

- The UN's capacity to provide international peace in the EU-US competition platform,
- The non-democratic structure of the security system and decision-making system (15 members not being able to represent the state 222/193 due to permanent membership in the UNSC/veto right),
- The double-standard resolutions that the UNSC tends to take,
- The politicization of international law (the structure of the International Court of Justice [ICJ] and its Decisions) (This point will be out of this study)

Lost Legitimacy: Reflection of the Euro-Atlantic Faultline to the UN

During the Cold War period, the states leading both pacts had formed a kind of legitimacy through their "politics of fear". Namely, the directives and demands of the pact leaders were to be fulfilled regardless of ethical values; otherwise, a country could be vulnerable to threats of the other pact. On one hand, Soviet Russia was forming a kind of command system between the Communist Party and Central and Eastern European communist parties, deploying its missile and red armies in those countries in order to protect against the threat of imperialism. On the other hand, the US was also pursuing the same politics of fear with similar discourse on the threat of invasion, stating that allied countries should open their doors widely to the US soldiers and even companies and strictly fulfil the directives of the US, otherwise, communists would seize their countries as they did in Eastern European countries. The only exception of the Euro-Atlantic hierarchy was France who developed its nuclear power in 1965 due to the 1962 Cuban crisis and left the military wing of NATO in 1966. In general, looking to the Cold War period, the major player in preventing conflict (war) was not the UN, (Falk, 83) but it was the fear of a nuclear war on such a scale that all parties between the pacts could not accept.

The bipolar system was automatically destroyed by the abandonment of communism by the USSR and the abolition of the Warsaw Pact in the international arena. The international system was transformed to a "hegemonic" one according to some writers, to a "hierarchical" one according to others, but indisputably to a unipolar system. It was seen that the UN, accustomed as it was accommodating the Cold War, could not keep up with this new system (Murithi, 2003, 4) and even from the perspective of power, could not form an appropriate and balanced distribution. A reason for this is because the vertically established friendship relation between Europe and the US, being the formers partners in the new system, at least is shifting towards a horizontal relationship plane.

The frequency of war between the democratic states is much lower than the frequency of war between the non-democratic ones. In this formulation, many factors are effective, like the proliferation of the decision-makers, re-election concerns, the expansion of security measures, the destruction of the war reaching high levels due to technological developments, the emergence of the international organizations as the new actors in conflict management, the increase of the international economic relations and the diversification of diplomacy techniques. However, this reality does not mean that democratic states cannot engage in economic and political competition with each other. The disappearance of the threat of communism after 1991 and increasing competition for a share in economic and political power in newly independent countries, caused both NATO's task definition and area to be changed and the European-American hierarchy to deteriorate. Today, economical and even political competition between the former friends has become visible and this competition is reflected in the UN voting.

The US and Europe acted together in recognizing the independence of Croatia and Slovenia, since their interests overlap. On the other hand, political differences between the US and Europe immediately came to light in the war of Bosnia. Especially, the West headed by France did not want a Muslim state in its backyard. Nevertheless, US policy was to support all calls for independence declared in the former communist area. This political difference resulted in the Bosnian Serbs killing more than two hundred thousand civilians in Bosnia-Herzegovina, backed by the Europe's sixth largest (Serbian) army with the facilitating effect of the arm embargo. Towards the end of the war, the UN, seeing the withdrawal of the Serbs after the strikes against Bosnian Serb forces, stepped in and ended the war with the Dayton Agreement through the mediation of the US convey Richard Holbrooke. Even while the West had to endure Bosnia-Herzegovina unwillingly, it also got what it wanted. Because of Dayton, a Bosnia and Herzegovina Federation was created, having a joint Federation and Republic for the first time. Initially it faced a shattered management, and its army was divided into different commands and a triple-presidential council system was established. In short, it was not able to govern its own territory. Different points of view between the West and US also revealed themselves in 1999 Kosovo Problem. After the massacre of more than ten thousand civilians in Kosovo, in the face of the West's unwillingness to interfere, conflict could only be stopped by the NATO forces headed by the US. Though independence was promised before in accordance with the West's request, this promise was suspended in Ramboulet.

During the US invasion of Iraq in 2003, economical-political competition between the EU and US reached peak levels (Luck, 7). Tensions between the EU and US were directly reflected in the UN, which was not able to represent a balanced distribution of parties (Terrence, 2007, 135). Explicitly, the US wanted to invade Iraq under the pretext of searching for Bin Laden and weapons of mass destruction; however, it actually had many economic and political interests which would drive an American intervention. Among those drivers for invasion were: the economic benefits from construction contracts in Iraq; the creation of an economic and democratic center in the Middle East according to the Hawks' project; the need for a military base and intelligence center close to Russia, China and Iran; prestige based on power; unwritten commitment to protect Israel, pressure from the Jewish lobby in America; but most importantly, the lure of 11% of the world's oil reserves. Aware of these motives and not wanting the US to monopolize on the advantages which an intervention would bring, France, Russia and China vetoed the decision of an American intervention in Iraq in advance to the UNSC. This advanced stand against the US from France China and Russia essentially prevented the US from bringing the proposal to the UNSC (Yenigun and Ozcan, 2005, 48-49). In addition, US attempts to put NATO in circuit remained inconclusive during this period; the disagreement between the EU and US on an intervention in Iraq having reached its peak. At the end of US lobbying efforts, which were largely unsuccessful as Germany and France received support from Belgium who also played its veto card in objecting to an American invasion in Iraq, the US crippled Belgium's economy by putting an embargo on its diamond and chocolate commerce. Belgium, playing the second leg in the world of diamond commerce, which operates through the South-African Belgian and American triangle, did not expect this. But the US set itself to realize an invasion of Iraq to such an extent that its treatment of Belgium was intended as a warning to Germany-France pair (Chapman, 138) who wanted to prevent American intervention.

Though the US could not find support through NATO or UN platforms and was even rejected by its “strategic partner” Turkey through the March 1 2003 (Missive) Permit, it still invaded Iraq. The US ignored international law, as an intervention requires either the official request of the country or the UNSC Resolution. The invasion entailed labelling “non-legitimacy” to the power of the US in the unipolar system, but more importantly, it was shaking the UN’s legitimacy and power. During the Cold War and post-Cold War periods, the vetoes of the US in the UNSC regarding decisions against Israel already shadowed the UN’s reliability and legitimacy. This time, other permanent members and even its former ally France opposed its plans to intervene in Iraq (Chapman, 135, 138) and the legitimacy of the UN started to be questioned more loudly. Though Iraq’s invasion in 2003 showed significant similarities to the invasions of Manchuria and Abyssinia in the period between the two world wars (the UN essentially repeating the LN’ legitimacy failure), the underlying reason why the other permanent members did not turn this undermining of UN power into a “UN crisis” like the LN, was due to the UNSC’s “the indefensible veto right” the main trump in directing world politics. If the Iraq invasion had been carried out by a country in second or third ranking instead of the US who leads the unipolar system, it is likely that the UN system would have been destroyed like the LN. In November 2003, following the US invasion of Iraq, General Secretary Kofi Annan called for a revision of the UNSC according to the new world order.

UNSC’s Imbalanced Structure and Decision-Making System

Five conflicting points arise when the structure and decision-making process of the UNSC is analyzed and compared with democratic theory. In order to carry out a decision in the UNSC, it is necessary that at least 9/15 votes are achieved and the vetoes for the permanent members have not been used. First of all, the veto right itself conflicts with democratic values. The veto right in the UNSC mark a “preference for the outstanding elites as being more effective than others even they are the majority” (Fichtelberg, 2006, 166) reveals a de facto but non-democratic reality in the current system. Today, only one of the five states representing the “elites” can stop a decision to be taken about an intervention to a country as if it is the decision of the whole world. Why do they see the veto right as “the fuse box in the light system of a house” and they argue “the house is embedded when a veto functions?”(Nye, 167) As a matter of fact, up until today, many decisions to be taken about Israel who often violated international law in Palestine were vetoed each time by the US because of the Jewish lobby and were linked to the whole world. Another example of the partial behavior of a permanent member of the UN is the present case of the P5+1 group that is about to take decisions on sanctions against Iran on the basis of the fear of nuclear weapon production, while ignoring, under pressure of the US, the weapons of mass destruction in Israel who entered into 4 wars in the last fifty years. Namely, they Israel can prevent the UNSC from taking a decision with a single veto and as a result, the wish of the vast majority of the whole world’s public opinion can be circumvented (Murithi, 7). Therefore, the operation with veto in the UNSC evidently conflicts with democratic decision-making processes. In reality, the desire of a permanent member or veto right is stronger than the vote of 193 members in the UNSC.

Secondly, even if none of the five permanent members uses their veto on a specific subject or all five use their vetoes on this subject, this method of decision making still does not coincide with democratic values. Namely, the ideas or votes of the five members may not reflect the world’s public opinion about any given subject that the UNSC is voting on. The error in this system lies in the assumption that 5 votes are stronger than 193 votes.

Thirdly, the decisions in the UNSC can be taken by the affirmative votes of at least 9 members. As stated above, it is difficult to justify that 9 states of even a unanimous vote from 15 members can represent the vision of the world or of the 193 countries represented in the UN.

Fourthly, even if a total of 15 members take a decision unanimously, it is not possible to understand if it is in the same direction with the world’s vision. To defend that 15 votes reflect the vision of the all members, shortly to say that this taken decision is legitimate, is a false claim according to the democratic understanding.

Finally, even though the UN is the world's largest international organization today with its 193 members, it does not represent the whole world which comprises of 222 (semi or partly recognized) states.³ In the first article of the UN Charter it is stated "states which are not members of the organization will be also forced to comply with the principles of the agreement to the extent required by the peace and security". This doesn't correspond with democratic values nor with international law that specifies that no states can be forced into an agreement that it has not signed. Enforcements made in the name of peace can be exempt from this though these type of circumstances are subject to ethical debate. It is hard to claim that the UN with 193 members reflects or represents the world's public opinion consisting of 222 countries.

Decisions on procedures of the UN vis-à-vis decision making were completed in writing after the Second World War and were agreed to by all the member states. These decision-making methods and veto system comply with international law. But in both national and international law, it is certain that each legal matter is legitimate but each legitimate is not legal in the eye of the public. It means all accepted things are not in the law. If the opposite is true, it should be agreed that Iraq's constitution and election system in Saddam's regime was also legal within itself and nevermore legitimate. So, in addition to accepting that the UN Constitution complies with the international law, if it does not get a general acceptance by the world's people today, it would be false to say it is legitimate.

In summary, even though the UNSC's 10 temporary members are selected according to a geographical distribution principle, the UNSC's decision-making system itself conflicts with its own democratic values. In the international system called the new world order, with the additional driving force of competition between the "former friends", international public opinion suffers from this geographical representation imbalance. If we look to Annan's letter in November 2003 and the meetings of the World Summit in 2005, they seem to be "correction" attempts prepared with a neo-realist perspective instead of the ideal-political. Annan's offer in 2005 includes increasing the number of the total member to 20-25 and of the permanent members to 7-8 including countries like Germany and Japan who provide the UN with the maximum financial aid. It would be more appropriate to correlate this correction attempt to incorporating states which have grown stronger in the last ten years rather than to democracy. Even if Annan's recommendations are implemented the veto right which completely contradicts democratic values would continue to be carried out as the revised number of 25 countries in the UNSC is far from representing 193 countries.

In fact, scholars like Nye (162) agree that the vote and representation system in the UN and especially in the UN General Assembly do not conform to the fundamental democratic aspirations of the UN. If democracy is the reflection of the world's people, namely a country's population, the UN system still doesn't reflect a democratic representation as one vote is being cast for all. The Maldives, with a population of 100,000, and China, with a population of 1,37 billion both having 1 vote seems obviously false; in today's situation a Maldivian has 15,000 times more voting power than a Chinese.

Efforts to Bring Legitimacy to the UN

All the international actors and the UN Secretary General agree that the UNSC has a legitimacy issue due to both its representation capacity and the non-democratic basis upon which it is established. Contradictions within the UN became more apparent, especially following the post-Cold War period, as a democratic system became more desirable to the member states and non-governmental organizations. (Hoveyda, 175) The first studies in post-Cold War started after a very successful preparation of the UN General Assembly by President Razali Ismail in 1996 about making reforms in the UNSC (Luck, 410). A year later, General Secretary Kofi Annan emphasized that the UN was not able to keep pace with the new international system that had come about since he was made Secretary General (Annan, 2003). Between 1997-2005 proposals were made by many NGOs and academicians with the aim of changing the UN's structure and decision-making processes. Additionally, five initiatives and meetings were organized by the UN to address the idea of reform. These include: "Management, Organizational Issues and the UN General Secretary Report on the Renewal of the UN (Annan, 1997, A/51/950), Report on the UN Peace Operations

³ Semi or partly recognized states, such as Kosovo, Palestine, Holy See etc. For the world representation.

(Brahimi, 2000, A/55/305-S/2000/809), Final Report on the Millennium Summit of the Heads of the States (UNGA, 2003, A/54/959), Upper Level Panel of the General Secretary about Threats, Opportunities and Change (High Level Panel, 2004, A/59/565) and Report of the General Secretary called as "Larger Freedoms". (Annan, 2005, A/59/2005, Para. 162) The aims of the meetings were to make the UN system more democratic by creating balance and increasing regional representation. Polish Foreign Minister Cimoszewicz said in his General Assembly speech in 2002 that the UN constitution written 50 years ago is obsolete now and a new UN Charter is necessary (Murithi, 6). Two new models appeared from 101 proposals (Luck, 408) and were presented for possible changes to the UNSC in the "Millennium Results Follow-Up Summit" in 2004. The first model consisted of 6 permanent members and 3 temporary members for 2 years from the main regions (Asia, Africa, the Pacific, Europe and America). The second model consisted of 8 renewable members for 4 years and a non-renewable member for 2 years (UNGA, 2004 A/59/565, p. 88) from the main regions by completely removing permanent membership and veto rights.

In March, 2005, in the Annan Report, named "Larger Freedoms", the models of the previous three months were presented with further differentiation. According to the report, model A proposed to add 6 new permanent members to 5 permanent members (2 Africa, 2 Asia / Pacific, 1 Latin America, 1 Europe) and to add 3 new temporary members to 10 temporary members (11 permanent + 13 temporary = 24 UNSC members). On the other hand, model B proposed the continuity of 5 permanent members and to add 8 temporary members for 4 years and 1 temporary member for 2 years to 10 temporary members (UNGA, 2005, 252-3) ($5 + 8 \times 4 \text{ years} + 1 \times 2 \text{ years} = 24 \text{ UNSC members}$.) The proposal also proffered criteria for the selection of possible new members. Firstly, to be selected as a new member, a country must be one of the top three economic contributors to the UN in their region. The country must also give 0.7 % Overseas Development Aid (ODA). The system and the members would be revised again in 2020, fifteen years later. Annan, with a little excitement, also determined September 2005 as the latest date to conclude the new membership system. Called as D4, Germany, Japan⁴, Brazil and India have been interviewed as "the new permanent members" (Luck, 410), in addition to them South Africa, Egypt and Nigeria came forward.

These proposals brought a triple decomposition in the international arena. The evolutionist group led by the UK supports the D4 (expand). This group (including countries like France and China) maintains the status quo and typically avoids change (Luck, 2005, 408) The revolutionist group (including members like Egypt, Senegal, Nigeria) seeks complete transformation and democratic representation. The voices raised by the revolutionary/evolutionary groups focused on the existence of a regional imbalance like the North having an advantage over the South, the need to change regional leaders with permanent members and the need to remove the veto right in the UNSC. In the meetings, while the West accepted the permanent membership of a D4 without veto rights, African states were defending the view that the 2 chairs offered to Africa were not enough and should be increased to 4 (UNSC with a total of 26 members) and that they should be provided with a veto right.

Following these discussions at the World Summit of September 2005, the evolutionist group supporting the status quo defended the position that an actual decision could not be reached due to a lack of consensus although they conceded that a change in the system was necessary in theory (Luck, 2005, 408). The Summit concluded with a closing report announcing the de facto continuity of the system by "supporting wider representation in the UNSC in order to make it more effective and legitimate and the decisions to be better applied" (UNWSO, 2005, 153).

It is evident that, on the one hand Annan's proposal was claiming that the UNSC was more effective than it should be in world politics (Annan, 2005, 165); on the other hand, it did not bring about radical reform. Essentially regional and strong new members would be added to the existing system as new membership criterion related to the economic contribution rates by targeting the movement of the "new riches" to the UNSC. Namely, the new membership formula can be summarized as "economic power and regional representation". This does not align with the World Summit Result Report that "legitimacy" would be possible with wider participation of all actors, not with development in terms of economy. As many

⁴ UN Financial contributions: Japan 18.8 %; Germany 8.36 %. See Global Policy Forum, 2010

specialists claim the renewal process of the UNSC which was largely unsuccessfully in 2005 has been a political process rather than legal (Imber, 2006, 333) and has resulted in the continuation of the old system (Abila, 44)

Conclusion

The legitimacy of the UN has been discussed since its conception (Luck, 407) but increasingly so in the last fifteen years. The UNSC and the UN's credibility have been questioned for many reasons like dozens of human rights violations made until today and the decisions about Israel each time limited to the veto of the US in the UNSC, and the powerlessness and silence of the UN about the invasion of Iraq. The UN, which somehow kept pace with the bipolar system, has been inadequate in keeping pace with the new world order, which came about as a radical change in the Post-Cold War era. The UN has to make transformations to provide a democratic structure with more inclusive decision-making mechanisms in the UNSC. Otherwise, the UN system's operation and legitimacy will continue to be scrutinized, and may prompt conflicts in the international arena.

It is not possible to provide the system with legitimacy through the P5+1 meetings or the participation of 3-4 new UNSC permanent members. This will only serve to expand the non-democratic base of the UN as only countries with strong economies will benefit. Legitimacy should include democracy, namely, the participation of all parties and the acceptance of the majority in the international environment. If a truly democratic system is to be created, it is necessary for the UN to include all world states, namely, 222 states (Murithi, 2006, 24) and the decision-making system to be realized through the simple voting of those. The veto right in the UNSC provides permanent members with such power that the abdication of the five permanent members is still evaluated as "platonic" (Luck, 2005, 409). Under those conditions, the international system might change in two ways: As in the case of the LN, a revolutionary way, namely with a global war or corporate crisis (Luck, 411) that nobody wants or with a democratic evolutionary way (evolution towards a new democratic system or absorbed into the system giving roles to new actors.)

The latter was suggested in 2003-5 was the easiest way; namely, it was the efforts of absorbing rising actors like Germany, Japan, Brazil, and Egypt through articulation methods. But the five members behaved in such jealous way about the veto right that even this, the easiest way, could not be realized. In fact, even if Annan's model A plan including "the addition of 6 new permanent, three new temporary members" had been realized, it would not mean the system had become democratic; it was only aiming to establish a new balance among powerful actors by absorbing the rising powers.

In fact, even the realistic theory seems utopian. The way followed in the creation of the UN Convention on the Law of the Sea (UNCLOS) between the years 1973-1982 in order to establish an ideal, democratic and international global organization provides an ideal example to the contemporary international actors. Namely, it can be a democratic, legitimate and long-term universal organization with an organization and a new constitution, which will be established by long-term meetings and sessions in which all parties will participate, and where proposals, suggestions, lobby and voting will be discussed, voted and approved item by item. If the actors of the 1970s could create a lawful regime like UNCLOS by the participation of all the world states in a Cold War environment, why can a similar international regime not be created today. There are even researchers like Murithi (2003, 25) who move this idea forward and defend the establishment of "The World States Federation". Without moving that much further, the states should believe in the feasibility and necessity of international public opinion and pressure groups should be demanding with an alternative and feasible project. The most important subject in such a system is about how the decision making process will operate in cases of international security. Four main options come forward in this respect:

- Regional decision-making groups being constituted about international conflicts. However, in this case, critics object that regional powers would get even stronger.
- The UNSC being constituted of at least $\frac{1}{4}$ of the world, namely of 50 members with one year membership period, decisions being taken with 2/3 majority regardless of regional representation, sequenced system or veto right.

- Decisions being taken again with 2/3 majority by the participation of 15 one-year temporary members and related region states regardless of veto rights and permanent membership.
- The voting of the all members, 193 countries, and decisions being taken with 2/3 majority. In this case, it is certain that backstage and lobby activities would continue but this reality is seen in all democracies and we should not forget that democracy is not “ideal” but the best government system that humankind has ever found.

All those proposals constitute the operation conditions of an ideal international security corporation. But such radical change, although democratic, is still seen as utopian/platonic (Luck, 2005, 409) today due to the potential resistance of the five permanent members in the UNSC who continue to hang onto veto rights because they continue to be global powers and remain as the main actors in the international arena. For this reason, making the necessary changes in the UN is a hard and painful process (Annan, para: 25); but as the US Ambassador Kampelman (WSJ, 2003) also said “this change is a necessity for human rights and democracy”. Nevertheless, as it is in all power relations, considering that a sort of power governs in the UNSC, there is a power formula that should be taken into account: “Power can barely stand with only strength and legitimacy” (Yenigun, 2010, 11). There is also power in the UN authority (five states) with the ICJ and UNSC corporations but legitimacy is largely lost. Today world public opinion believes the UN system does not represent the world population interests (Murithi, 2003, 11). If a system is meant to continue long-term, it should be placed on an ethical, fair and generally accepted basis or should enter into an evolutionary process towards this direction. If an evolution is not taken towards this direction, the system would continue its weakening trend towards self-destruction.

Instead of the revisionist proposals above, a mediational proposal can be offered to the countries that resist preserving the existing UN system which would be to move the decision-making authority from the UNSC to the UN General Assembly. The General Assembly system of voting meets almost all the conditions of democracy: no veto right, permanent membership being valid to each state, all members participating in voting and a 2/3 decision-making procedure in important decisions. Indeed, this way was used in the Suez Crisis in 1956. After the rejection of the UK and France in the UNSC of the intervention request to Egypt, according to the plan of the General Secretary Dag Hammarskjöld and Lester Pearson, UN peacekeeping forces would come between the soldiers of Israel and Egypt and a line would be established. When the UK and France vetoed in the UNSC, the plan was carried and voted in the General Assembly and the decision was taken there. (Nye, 165)

The present international setting is favorable to the transition of such a system because the international system has been radically changed and because the UN General Secretary and the five permanent members have also accepted the change in principle. It is agreed by all the international actors that the UN cannot keep pace with the new international environment and a new and legitimate system is needed. It should not be forgotten that the history of humanity is based on continuous change and the UN itself is a product of change and innovation (Murithi, 2003, 24). What is necessary is the sufficient demand of the almost all states producing the necessary pressure on the UN system in this direction. For example, in a case that ten (even seven) temporary members in the UNSC abstain from voting for the transition of power to the General Assembly would lock the UNSC system because 9 members' votes are required in order to make a decision in the UNSC. While it is a revisionist attempt and move, if this and similar pressures do not come, the non-democratic UN system would continue until it completely loses legitimacy. In conclusion, it looks like total transformation of the UN or UNSC is very remote chance at the moment; but to have a more democratic system, security issues should be carried to the UN General Assembly and decision should be taken by (2/3+1 or 3/4+1) qualified majority voting with no veto right. All NGOs, IGOs, civil society groups and think tanks should work together to reach this target; because simply 21st century's humanity deserves a democratic universal organization.

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